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PATENT

UNUS #03-0178-UBNA CASE #F6184(V)

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CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450"

on October 3, 2006

Gerard J. McGowan, Jr. Reg. No. 29,412

Attorney for Applicants(s)

October 3, 2006 Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Gaeta

SERIAL NO.:

10/747,990

FILED:

December 30, 2003

FOR:

Tray

GROUP:

3727

EXAMINER:

Gary E. Elkins

ENGLEWOOD CLIFFS, NEW JERSEY 07632

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeals to the Board of Appeals from the decision dated May 3, 2006 of the Primary Examiner final rejection of claims 1-5, 8 and 9.

The item(s) check below are appropriate:

[] A timely response to the final Rejection has been filed.

[X] An Extension of Time to respond to the Final Rejection is being requested for two months.

An Extension of Time to file a Notice of Appeal was granted for one month(s).

[X] Charge statutory fee of \$500.00 to Deposit Account No. 12-1155. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155. This request is being submitted in triplicate.

Gerard J. McGowan, Jr. Attorney for Applicant Registration No. 29,412

/gjm 201-894-2297

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